

MEMORANDUM

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *September 27, 2021*

PROJECT TEAM: *Anna Ruggles, City Recorder
Jesse VanderZanden, City Manager*

SUBJECT TITLE: *Work Session: Boards and Commissions Selection Process*

PURPOSE OF WORK SESSION:

To discuss a change in process for interviewing new applicants and re-applicants for Boards and Commissions (B/C). This work session is planned for 15 minutes with the intent of discerning a consensus for this year's interview process.

BACKGROUND:

The City amended the B/C's appointment process in 2018 through revisions to Section 14 of the *City Council Rules of Procedure*. In addition to clarifying B/C's are advisory to Council, the public records and ethics laws that govern appointees, and specific staff and Council liaison duties, Section 14.10 outlined the appointments and reappointments process.

Section 14.10 states the recruitment process shall begin in September and conclude by December 31 of each year. It also states members must apply and be interviewed every term to continue service, that Council or a subcommittee of the Council shall conduct the interviews, and applicants that fail to attend the interview may forfeit the opportunity for appointment or reappointment. Terms are four years.

In the past, the Council has performed interviews in different ways. Regarding re-applicants, Council has interviewed them as a whole, split into two subcommittees, or waived the interviews altogether. Regarding new applicants, the Council has interviewed them as a whole. With the rule change requiring interviews of re-applicants (unless waived by Council), the total work session interview time nearly doubled from approximately two work sessions over two weeks to four work sessions over two months.

Council has expressed concerns the process took too long last year and it was difficult to recall the candidates and accompanying appointments. Staff was directed to look at process

improvements that would allow for improved recall and better tracking of candidates to aid in the appointment process.

CURRENT STATUS:

The City Recorder announced the application period on social media, in the utility insert and the website in August. The announcement was repeated in September. Although applications are received year around and kept on file for interview, the application period is emphasized during this period in anticipation of end-of-year appointments. The application is available in multiple languages including Spanish.

The deadline for all B/C applicants is October 15. Appointments must be approved by Council no later than the December 13, 2021, regularly scheduled City Council meeting.

There are currently 15 new applicants and an estimated 25 re-applicants. Based on past time allotments of 15 minutes for new applicants and 10 minutes for re-applicants, it could take upwards of 8 hours to complete all interviews assuming the Council met as a whole for all the interviews.

CONSIDERATIONS:

Staff recommends the Council consider the alternatives, below, or a combination thereof, that would enable more efficient and effective deliberations on appointees. Below are some ideas for consideration:

1. Interview new applicants prior to re-applicants. This will help Council determine the interview process for re-applicants.
2. Review the re-applicants' applications and consider waiving the requirement to re-interview them for re-appointment. Waiving this requirement would require a voice vote during a regularly scheduled meeting. It also presumes all re-applicants are appointed, thereby waiving Council's discretion to not reappoint a re-applying member. Waiving these interviews would reduce the time requirement approximately 3-4 hours.
3. Split the Council into two subcommittees of 3 to interview re-applicants. Limit interviews to 10 minutes each and limit the number of questions to 3 per re-applicant. This would reduce the overall time requirement by 2 hours.
4. Split the Council into two subcommittees of 3 for new applicants and re-applicants. Limit interviews to 15 minutes for new applicants and 10 minutes for re-applicants and questions to 5 and 3, respectively. This would reduce the overall time requirement in half, however, it would not allow the Council as a whole to interview new applicants.
5. Schedule separate meetings apart from the regularly scheduled Council meeting to conduct interviews. For example, two consecutive week nights of 3 hours each. Because appointments must be made at the December 13, 2021, regular meeting or prior, staff recommends these meetings occur in November. This schedule will result in a condensed

interview process to enable better recall and deliberation. It will however present an additional work load for staff, assuming the regular work session time previously used for interviews is filled with other topics.

REFERENCES:

SECTION 14 – ADVISORY BOARDS, COMMISSIONS, AND COMMITTEES

14.1 Advisory Boards, Commissions, and Committees –The Council may by ordinance or resolution establish any City advisory board, commission, or committee (herein referred to as “B/C”) deemed necessary and in the best interests of the City. Pursuant to City Charter, Section 8(C), the Mayor, with the consent of the Council, appoints members of B/C’s established by ordinance or resolution.

14.2 Purpose – The purpose of the Advisory Boards, Commissions, and Committees is to encourage broad-based community representation and to advise City Council on public policy issues affecting Forest Grove and Council-adopted Goals and Objectives. All such Council-appointed groups are directly responsible to the Council.

14.3 Membership Qualifications – To be eligible for appointment, a person must be 18 years of age or older and a Forest Grove resident for the duration of the appointed term unless expressly provided for by the adopted bylaws. Student appointees must be high school grade level and residing or attending school, including home-schooled, in Forest Grove. All appointed B/C members are required to attend training courses as assigned and approved by Council. An individual B/C member may not act in an official capacity. The Council may in its discretion at any time remove a member for any reason, including inefficiency, neglect of duty, or malfeasance in office. Voting members may not be employees of the City. B/C members serve without compensation.

14.4 Composition – Unless authorized by Council or required by state law, all B/C’s shall consist of no more than nine (9) voting members.

14.5 Quorum and Meetings – Unless required by state law, a majority of the total number of voting B/C members constitutes a quorum. The B/C shall hold meetings no less than four (4) times a year, unless more frequently as established by the B/C. In January of each year, the B/C shall adopt a schedule of its meetings for the upcoming year, including meeting times and dates for holidays and canceled meetings. The staff liaison shall file the B/C meeting schedule with the City Recorder’s Office and publish meeting dates/times on the City’s website. In case of a meeting cancellation, the staff liaison shall post a notice at the meeting location and on the City’s website prior to the meeting date/time.

14.6 Terms of Office and Officers – Unless required by state law, all B/C members shall be voting members and shall serve four (4) year terms. Student members shall be voting members and shall serve two (2) year terms. Terms shall be staggered evenly amongst the membership, beginning January 1 and ending December 31. The Chair and Vice Chair shall be elected by the voting members at the first regularly scheduled B/C meeting of each year. The Chair may not serve more

than 48 consecutive months. Members may not serve on more than two (2) B/C's at the same time. Appointments to vacant positions shall fill out the remainder of the unexpired term.

14.7 Registry – The City Recorder's Office shall maintain a current roster of all B/C members, including appointment date, length of unexpired term, and contact information. A copy of the roster shall be provided to Council at least once per year or upon any substantial change in membership.

14.8 Councilmember Liaisons – The Mayor shall appoint a Council liaison to any B/C. Council Liaisons shall be a non-voting member. The Council Liaisons role is to collaborate between the Council and the B/C to assure each group's collective interest is accurately and effectively represented to the other. This includes actively attending and reporting to each entity at their regular scheduled meetings. Council Liaison appointments shall be reconsidered every two (2) years at the first regular Council meeting following the time at which newly-elected Councilmembers officially take office or at the discretion of the Mayor.

14.9 Staff Liaisons – The City Manager shall appoint a staff member as liaison to any B/C. Staff liaisons shall be non-voting and shall assist the B/C by utilizing their expertise regarding City policy and process. The staff liaison shall orient the newly appointed B/C members prior to the first meeting on the duties of being a member. The staff liaison shall review the agenda in consultation with the B/C chair, prepare minutes upon request of the B/C, oversee and review minutes, post minutes to the website as soon as possible after Council acceptance, prepare and distribute the B/C packet at least five (5) days prior to the meeting, post the final agenda on the bulletin board and/or at the meeting location, submit legal notices for review and copies of approved minutes to the City Recorder's Office, report to the City Recorder's Office any member who has three (3) or more unexcused absences, report any meeting date changes including cancellations, maintain official records in accordance with the City Retention Records Schedule (OAR166-200), and publicly post B/C documents on various media.

14.10 Appointments and Reappointments – B/C member recruitment shall begin in September and conclude by December 31st of each year. Once the assigned term of office is completed, the member is excused from the appointment, unless Council reappoints the member for another term of service. Members must apply and be interviewed after every term to continue service. Interviews will be conducted by the Council or Council Subcommittee. Applicants who fail to attend a scheduled interview may forfeit the opportunity for appointment or reappointment. Once Council conducts interviews and makes appointment recommendations, the City Recorder Office's shall notify applicants in writing of the Council's recommendation. Formal resolutions making appointments will be scheduled under the Consent Agenda at the next regular Council meeting.

14.11 Attendance – B/C members are expected to attend every meeting. Members shall notify the staff liaison prior to the regular meeting to report an absence. The minutes shall record the absence. The City Recorder's Office shall notify any member who has three (3) or more absences in a 12-month period that their position may be subject to vacancy. The Chair, with the consent of the B/C, may submit a recommendation to Council to deem the member's position vacant for three (3) or more absences in a twelve month period.

14.12 Resignations and Vacancies – A member shall submit a written resignation to the staff liaison and make every effort to allow for a 30-day notice. To fill vacancies that occur mid-term, Council shall refer to the current year interviewed applications kept on file in the City Recorder's Office.

14.13 Agenda – The Chair shall compose the meeting agenda in consultation with the staff liaison, specifying the time, place, and purpose of the meeting and listing the subjects anticipated to be considered. A B/C member may propose placing an item on the agenda at a regularly scheduled meeting. If approved by a majority of voting members present, the agenda item will be placed on the next regularly scheduled meeting agenda or an agreed upon future meeting agenda. The agenda shall follow a standard template provided by the City.

14.14 Open Meetings, Written Minutes and Public Records – All B/C meetings and hearings shall be held in compliance with Public Meetings Law (ORS Chapter 192) and subject to Public Records Law (ORS Chapter 192). A public meeting is defined as two (2) or more B/C members meeting who have been delegated authority by the B/C to advise or make recommendations to the B/C. Written minutes are required for all meetings. Written minutes may include a briefly summarized record of what took place and must include any action items, showing the attendance and vote of each member. Verbatim minutes are not required. The minutes shall follow a standard template provided by the City.

14.15 Bylaws – Changes to a B/C's bylaws or rules of procedures must be approved by City Council. The bylaws shall follow a standard template provided by the City.

14.16 Annual Reporting – The Chair shall submit an Annual Report to the City Council listing the B/C's major activities for the past year and objectives for the coming year. The Annual Reports shall be scheduled on the Council Calendar and approved in January.

14.17 Conflicts of Interest and Ethics Law – B/C members are considered public officials subject to the Oregon Government Ethics Law (ORS 244), which seeks to prevent a public official from receiving financial gain or avoiding a financial detriment because of their status as a public official. B/C Members are also subject to the Restrictions on Political Campaigning when acting in official capacity (ORS 260.432). Planning Commissioners are personally responsible to file an Annual Verified Statement of Economic Interest (SEI) form with the Oregon Government Ethics Commission by April 15 of each calendar year. A civil penalty may be imposed by the State for each violation of any provision of the ORS.